



NEWSLETTER

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IN THIS EDITION

- 1** PSCBC Welcomes new Leadership at the 28th Annual General Meeting **Page 3**
- 2** Congratulations to Our Newly Elected Chairperson: Mr. Magate Phala **Page 5**
- 3** PSCBC Resolution 1 and 2 of 2025 Provincial Workshops **Page 6**
- 4** PSCBC Joins DENOSA in Honouring Nurses at Bushbuckridge International Nurses Day Celebration **Page 8**
- 5** NEHAWU Commemorates International Nurses Day: A Call to Uplift the Bondage and Honour the Backbone of Healthcare **Page 10**
- 6** South African Police Service Mothers' Day Celebration **Page 12**
- 7** GENES Woman Empowerment Program Graduation Ceremony **Page 13**
- 8** PSCBC Celebrates Men's Health Month To Combat Stigma **Page 14**
- 9** Case law Summary . Kutu v Correctional Services **Page 15**

PSCBC Welcomes New Leadership at the 28th Annual General Meeting

The PSCBC held its 28th Annual General Meeting (AGM) on 26 June 2025 in Gauteng. Hosted under the theme "From Struggle to Structure, One Agreement at a Time," the AGM highlighted the Council's journey and progress in advancing collective bargaining in the public service.

The event brought together key representatives from PSCBC stakeholders, state institutions, admitted trade unions, sector bargaining councils, Sector Education and Training Authorities (SETAs), and other labour-related organisations.

General Secretary Mr. Frikkie de Bruin delivered a detailed presentation on the determination of vote weights, followed by the presentation of the Annual Report, Financial Report, and Auditor's Report, collectively reflecting the Council's performance for the 2024/25 financial year.

A notable highlight of the AGM was the announcement of new leadership appointments. Mr. David Phala was appointed as the new Vice-Chairperson: Labour, while Mr. Magate Phala was announced as the newly elected Chairperson of the PSCBC.

These appointments were warmly received, symbolising a promising future for the Council under their stewardship. The outgoing Vice-Chairperson: Labour, Mr. Aubrey Zungu, delivered a heartfelt farewell address, reflecting on his tenure and the personal and professional growth it brought. He acknowledged the challenges faced, the invaluable lessons learned and expressed gratitude to the South African

Democratic Teachers Union (SADTU) for the opportunity to lead. He praised Council members for their unwavering unity and the PSCBC team for their professionalism and commitment, referring to them as the "unsung heroes" of the Council.

In closing, Mr. Zungu urged the new leadership to preserve the unity that has defined the Council's progress; "Let us continue to build, unite, and never lose sight of the needs of the workers we serve."

The proceedings were enriched by a moving performance from the PSCBC Choir, whose vibrant songs added a spirit of celebration to the occasion. A prestigious awards ceremony held during the AGM dinner honoured both posthumous and stalwart members for their significant and lasting contributions to the Council's legacy and growth.



The event also marked the official launch of the PSCBC's commemorative book, "From Struggle to Structure, One Agreement at a Time," authored by Mr. Frikkie de Bruin, Dr. Christopher Phiri, and Mr. Mbuso Mdingi. The publication chronicles the Council's three-decade journey, capturing the evolution, achievements, and continued impact of the PSCBC in shaping the public service through collective bargaining.

As the Council turns a new page, it remains steadfast in its founding values of unity, inclusivity, and service to the workers of the public service. We extend our deepest appreciation to Mr. Frikkie de Bruin for his visionary leadership and offer our full support and best wishes to the newly appointed Chairperson, Mr. Magate Phala, and Vice-Chairperson, Mr. David Phala, as they lead the PSCBC into the future.



Congratulations to Our Newly Elected **Chairperson: Mr. Magate Phala**

We are proud to announce and extend our warmest congratulations to Mr. Magate Phala on his election as Chairperson of the Public Service Co-ordinating Bargaining Council (PSCBC).

Mr. Phala's appointment marks a new chapter of inspired leadership, grounded in deep expertise and unwavering commitment to the advancement of labour relations in South Africa. His leadership, vision, and dedication will no doubt guide our organisation toward continued growth and success. We look forward to working under his guidance and wish him every success in his new role.

Let us all join in welcoming and supporting Mr. Phala as he steps into this important position.

About Mr. Magate Phala - Alternative Dispute Resolution Specialist

Mr. Magate Phala is the Director of Magate Phala & Associates and an accomplished Alternative Dispute Resolution (ADR) Specialist, with over 18 years of experience in Labour and Employment Law.

An accredited international civil and commercial mediator, Mr. Phala has built a distinguished career resolving workplace disputes through structured processes such as mediation, arbitration, and facilitation. His expertise spans both the public and private sectors, where he is regularly appointed to chair complex disciplinary hearings and lead sensitive labour-related negotiations and consultations.

Currently, he serves as Vice President of the Gauteng Chapter of the South African Society for Labour Law (SASLAW), where he plays an instrumental role in promoting sound labour practices and professional development.

Mr. Phala is a passionate educator and thought leader. He has designed and facilitated practical training programmes for employers, trade union representatives, and employees—programmes that are widely recognised for empowering stakeholders with critical legal and dispute resolution skills.

He is also the Founding Director of the Annual Labour Law and Compliance Summit, which held its inaugural conference on 08 May 2025. This landmark event attracted delegates from across the country and featured keynote speakers from major trade union federations (COSATU and FEDUSA), renowned legal scholars, and business leaders. The Summit served as a powerful platform for dialogue, reflection, and knowledge-sharing in the fields of labour law and compliance. Beyond his direct practice, Mr. Phala is a prolific contributor to legal publications, offering timely analysis and practical insights into pressing labour issues. He is a respected voice in the ADR and labour law communities and is frequently invited to speak at national and international forums, as well as in the media.

"We are honoured to welcome Mr. Magate Phala to the helm of the PSCBC and look forward to a future of continued excellence and collaboration under his leadership."



PSCBC Resolution 1 and 2 of 2025 Provincial Workshops

The PSCBC successfully conducted a series of 11 Wage Negotiation Workshops across all nine provinces between March and April. The primary objective of the workshops was to provide in-depth insights into the recently signed PSCBC Resolution 01 and 02 of 2025, ensuring that all stakeholders are well-informed and equipped for the effective implementation of these Resolutions.

The workshops were facilitated by the General Secretary of the PSCBC, Mr. Frikkie de Bruin, Senior Manager for Collective Bargaining Ms Valencia Kola and Mr Mompoti Galorale the Vice-Chairperson Employer, sharing valuable contributions throughout the sessions. Mr. Frikkie de Bruin highlighted that PSCBC Resolutions 01 and 02 of 2025 constitute a three-year multi-term agreement, covering the financial years from 2025/26 through to 2027/28. He outlined that, under the first leg of the multi-term agreement, employees will receive a salary adjustment of 5.5% of the Consumer Price Index (CPI) for the financial year 2025/2026. The salary adjustments for the second and third legs of the agreement, covering the 2026/27 and 2027/28 financial years will be based on the applicable CPI at the time.

In addition, he indicated that the housing allowance will be increased from R1, 784.55 to R1, 900.00 and will also be subject to annual adjustments based on the CPI. He also highlighted the revised provision of the Individual Linked Saving Facility provision (ILSF), which now allows public servants to access their accumulated savings upon resignation or dismissal from the public service.

He also spoke on Resolution 02 of 2025, addressing several key issues including the death grant, childcare and breastfeeding facilities, recruitment policies, bursary scheme, uniform policy, incentive policy framework, and comprehensive danger insurance. He stated that the clauses outlined in Resolution 02 of 2025 will undergo further research, investigation, and negotiations during the 2025/2026 financial year.

Amidst the presentation, Mr Frikkie de Bruin reassured public servants that the PSCBC has included measures to ensure full compliance by both the employer and National Treasury which warrants that the employer to conclude these agreements by complying with the Public Service Act 103 of 1994, along with Regulations 78 and 79 of the Public Service Regulations of 2016.



He further comforted attendees by stating that the technical issues encountered in previously signed multi-term Resolution will not be repeated. Moreover, he noted that the processes and technicalities related to the 2018 multi-term agreement were acknowledged and addressed through a compliance clause included in the 2025 signed agreements. The Council will actively monitor and enforce the implementation of these agreements.

The series of workshops was a resounding success, marked by productive participation and valuable insights from stakeholders. The Council remains committed to ensuring fair and peaceful labour relations between the public servants and the Employer.



PSCBC Joins DENOSA in Honouring Nurses at Bushbuckridge **International Nurses Day Celebration**

The Democratic Nursing Organisation of South Africa (DENOSA) hosted a powerful and moving International Nurses Day celebration in Mpumalanga on the 12th of May 2025. The event brought together nurses from across the Bushbuckridge Local Municipality to honour their profession, reflect on challenges, and recommit to advancing healthcare delivery within the region.

An official welcome address was rendered by the Executive Mayor of the Bushbuckridge Municipality Cllr Lydia Moroane-Zitha, who extended warm greetings to all nurses gathered. The mayor also paid special tribute to Mama Albertina Sisulu, a stalwart of the struggle and a professional nurse, noting her enduring legacy in nursing profession. This year's celebration also marked the anniversary of Florence Nightingale, the founder of modern nursing. She praised the critical role nurses continue to play in communities across the Ehlanzeni District, especially in underserved rural areas.

The day featured powerful addresses from DENOSA General Secretary Mr. Kwena Manamela, and Provincial Secretary Mr. Cyril Mdhuli. In his speech Mr. Manamela spoke candidly about the ongoing issue of nurses' uniforms shortage which is currently being addressed at the bargaining council. He also encouraged nurses to remain engaged and united in seeking long-overdue resolutions. DENOSA used the occasion to honour nurses working under extremely challenging conditions who continue to deliver care despite staff shortages, lack of resources, and limited recognition, embracing theme under the theme "Caring for Nurses Strengthens economies".

In line with global recommendations, DENOSA called for the appointment of a Nursing Directorate, as per the resolutions of the 2022 National Nursing Summit and World Health Organisation's guidelines. "We cannot implement meaningful change in nursing without leadership structures dedicated to advancing the profession," said Mr. Mdhuli.

Representing the PSCBC, Senior Manager for Collective Bargaining Ms Valencia Kola delivered a message of support and solidarity. She spoke on the mandate of the Council and reaffirmed PSCBC's commitment to working collaboratively with stakeholders to improve the working conditions of public servants. She highlighted the critical role that collective bargaining plays in addressing systemic issues in the health sector and ensuring that nurses' voices are heard at the highest decision-making levels.

"As the PSCBC, we recognise that nurses are not only the backbone of the health system, but also key agents in realising the goals of public service transformation. We remain committed to strengthening platforms that support fair, equitable, and safe working environments for all," she said.



The event concluded with an address by the MEC for Health, who acknowledged the long-standing issues confronting nurses, from the shortage of medical equipment and staff to budgetary constraints that compromise the quality of patient care. She described the NHI as a strategic intervention to reduce health disparities and called on nurses to embrace its roll-out with commitment and resilience. The day also diligently honoured some of the nurses nominated by their fellow colleagues who still continue to serve within the region with profound integrity and patient care.

"We know the system is under strain," she said, "but NHI offers a path toward equity. Nurses must lead that transformation."

The day was a testament to the power of unity, recognition, and advocacy and a reminder that nurses must continue to be at the forefront of both healthcare delivery and healthcare reform in South Africa.



NEHAWU Commemorates International Nurses Day: **A Call to Uplift the Bondage and Honour the Backbone of Healthcare**

The National Education, Health and Allied Workers' Union (NEHAWU) hosted the widely celebrated International Nurses Day in Mpumalanga on the 21st May 2025, bringing together healthcare workers, government officials, and nursing professionals under the theme "Uplifting Austerity Measures to free Nurses from the Bondage of staff shortages-Towards the full implementation of NHI". The event served as a platform to honour nurses for their tireless service and to advocate for urgent transformation within the healthcare sector.

The Provincial Chairperson of NEHAWU in Mpumalanga Cde Fannie Ngwenyana officially opened the event, warmly acknowledging all dignitaries in attendance. He paid tribute to the nurses for their commitment and resilience, particularly in times when resources are stretched thin. He also raised critical concerns about job placements for newly qualified nurses and noted with alarm that while the province faces a dire shortage of nursing staff, nursing colleges that once trained 200 students now only accept 50 which is a worrying trend that must be addressed urgently. The MEC for Health Honourable Sasekani Manzini also delivered a passionate address, stressing

the need to lift the austerity measures that have constrained the healthcare system, particularly as the country prepares for the full implementation of the National Health Insurance (NHI). She described the Department of Health as the foundation of government and emphasised the importance of collaboration with the private sector to ensure that clinics and hospitals are well-equipped to serve communities.

The MEC further highlighted the Premier's recent pronouncement on prioritising safety for nurses, particularly at rural clinics and hospitals, and applauded NEHAWU's efforts to champion community healthcare workers in the province. She also noted a new focus on nurses' wellness, including access to routine health checks and emotional support services, acknowledging the immense emotional toll the profession can take. A retired nurse who spoke at the event shed light on the long-standing challenges faced by nurses



ranging from chronic staff shortages to the lack of practical training opportunities.

She described the intense pressure under which nurses operate and called for renewed efforts to ensure skills development and adequate support systems for the next generation of nursing professionals.

NEHAWU's President, Cde. Mike Shingange, delivered a moving keynote address, encouraging nurses to combine their professionalism with the broader struggles of their communities. "To be a NEHAWU nurse is to stand at the intersection of care and activism," he declared. "Nurses must not only deliver quality healthcare but also act as catalysts for social change."

He urged healthcare workers to unite, asserting that nurses' challenges are shared across the public service, and called on them to take pride in their identity as NEHAWU members, working together to foster wellness and equity in healthcare for all.

The Senior Manager for Collective Bargaining Ms Valencia Kola, delivered a message of support at the event, noting the extraordinary challenges that

nurses face with the long hours, the emotional toll, and the constant pressure to deliver exceptional care under difficult circumstances," she said.

"Yet despite it all, we see your resilience, your dedication to your patients, and your unwavering professionalism."

In her message, Ms Kola also acknowledged the presence of student nurses, highlighting that as we also look toward the future we remember to nurture, support and empower the next generation of nurses, to ensure they are equipped with the skills, knowledge and resources needed to carry the profession forward.

Overall, the NEHAWU Nurses Day celebration was a resounding affirmation of the critical role nurses play in South Africa's healthcare system, and a powerful reminder that transformative change begins with recognising and uplifting those who serve on the frontlines every day.



South African Police Service Mothers' Day Celebration

On the 9th of May 2025, the PSCBC had the honour of attending and sponsoring the South African Police Service Mother's Day event held at the Arcadia Hotel in Pretoria, Gauteng. The purpose of the event was to acknowledge and appreciate the remarkable mothers in the SAPS Division of Visible Policing and Operations who show dedication and make sacrifices to keep our communities safe.

Present at the event was SAPS Brigadier Tsakane Mtileni, who extended a heartfelt welcome to all the women attending the event. She opened her remarks by sharing a brief history of the Mother's Day, emphasizing its significance. In her keynote address, she highlighted the important prominent mother figures in the South African history who played a vital role in the fight for freedom and the eradication of gender discrimination. Lillian Ngoyi, Charlotte Maxeke, and Helen Joseph as key figures who helped pave the way for gender equality in the country. In addition, she noted the incredible shift in the SAPS of when the first women were appointed as police officers in 1972, paving a way for generations of women who currently serve with the police service.



Representing the General Secretary of the PSCBC, Senior Manager: ICT Mr. Oomang Parag delivered a message of support, reaffirming the Council's commitment to advancing gender equality in the workplace. In his address, Mr. Parag highlighted PSCBC Resolution 01 of 2022: The Public Service Declaration, as a critical vehicle for women empowerment within the public service.

He emphasized that the resolution not only promotes equal opportunities for women but also advocates for the provision of childcare and breastfeeding facilities, alongside a range of supportive benefits designed to create a more inclusive and enabling working environment for women. This commitment aligns with the Council's broader objective of fostering a professional, ethical, and equitable public service for all. As we look forward to future partnership and collaboration with members with the SAPS, the PSCBC remains committed in its dedication to championing women empowerment through various platforms and strategic stakeholder engagements.

GENES Woman Empowerment Program Graduation Ceremony

On 22 May 2025, the second cohort of the GENES Women Empowerment Programme graduated in a ceremony held in Centurion. A total of 13 women successfully completed the programme. The event served to honour the achievements of the graduates, celebrate their personal and professional growth, and to equip them with a practical life skill through a creative session on flower arranging.

The program started with an opening address by Mr. Aubrey Zungu, Vice Chairperson (Labour), who inspired attendees with a message of hope and continuity. He emphasised that the graduates now serve as role models and torchbearers for future women leaders in the public service.

The welcome remarks were conducted by Mr. Frikkie de Bruin, General Secretary of the PSCBC, reaffirmed the Council's commitment to women's empowerment, stating the need to integrate this into future strategic planning. The participant thereafter went on to provide personal testimonies and graduates shared their experiences, noting the programme's positive impact on their personal development and effectiveness in the workplace.

Ms. Vesper Nkoane, a Master Coach with a psychology background, delivered a powerful motivational talk that resonated deeply with the attendees. Her session was acknowledged by Mrs. Sharlaine Oodit, General Secretary of the GPSSBC, who reiterated that women empowerment should remain a continuous priority, not a once-off initiative.

In closing Mr. Mompoti Galorale, Vice Chairperson (Employer), congratulated the graduates and encouraged them to seek further inspiration from "The 48 Laws of Power" by Robert Greene, which he cited as a personal resource.

As GENES Women Empowerment Programme continues to deliver tangible benefits in line with the strategic goals of the PSCBC, the second cohort's graduation marks another step forward in building a stronger, more inclusive public service negotiating cadre. The Council reaffirms its commitment to expanding such initiatives and embedding empowerment as a core strategic priority.



PSCBC Celebrates Men's Health Month To Combat Stigma

On the 12th of June 2025, the PSCBC in commemorating Men's Mental Health Month championed an initiative focused on raising awareness around men's wellness. The primary objective of the initiative was to encourage men to seek help in issues related to mental wellness, break down barriers, and challenge stigmas around men's mental health and to advocate for the holistic well-being of all men.

As part of the awareness campaign, the PSCBC GS, Mr Frikkie de Bruin together with Ms Priyanka Kisten hosted a wellness session encouraging men to prioritise their mental health, open up about their struggles and embrace healthy coping mechanisms in their personal and professional lives.

The PSCBC recognises that men's health extends beyond physical fitness it includes mental, emotional, and social well-being. As the Council, we remain committed to creating a supportive environment where every man feels seen, heard, and valued. By championing men's wellness, we are contributing towards building healthier workplaces and communities.



Case law Summary: Kutu v Correctional Services

This was a matter where the employee was dismissed for Insubordination after a disciplinary hearing.

Mr Kutu was a correctional officer, and his duties included escorting inmates to court, hospital as well as guarding inmates.

Mr Malungwana who is Mr Kutu's superior received a call requesting an escort to take an inmate to hospital. On his way out he came across Mr Kutu and asked him to assist with escorting the inmate, but Mr Kutu refused stating that it was his birthday. Mr Malungwana went to Human resources to confirm the validity of Mr Kutu's Statement regarding his birthday. He found out that Mr Kutu was dishonest about that day being his birthday. Mr Malungwana confronted Mr Kutu about his dishonesty and Mr Kutu responded by saying actually, he confused his birthday with that of his wife. Mr Malungwana once more requested Mr Kutu to take the inmates to the hospital but again he refused.

Mr Malungwana then had to request another official to escort the inmate to hospital as Mr Kutu had refused.

Mr Kutu was charged with insubordination and dismissed.

Mr Kutu submitted that Mr Malungwana informed him in a casual manner that he was requesting assistance to take the inmate to hospital but did not specifically order him to escort the inmate hence he told him that he was going for the birthday lunch.

Mr Kutu testified that he was a victim of a conspiracy orchestrated by the manager to dismiss him as he had changed trade unions from POPCRU to PSA.

This evidence was supported by Mr Papo who testified that Miss Ramokgopa who was part of Management Informed him that Mr Mkwanazi had issued a directive that Mr Kutu should be allocated the work to take the inmate to hospital so that he would refuse and then be charged with misconduct. Mr Papo further testified that Mr Ramokgopa told him that Mr Mkwanazi is forced to act against Mr Papo because he changed union from POPCRU to PSA.

Both Mr Mkwanazi and Miss Ramokgopa denied allegations of a conspiracy against Mr Kutu.

The arbitrator found it insignificant that the unit manager used the word "assist" instead of "order" as Mr Kutu was fully aware of the duties he had to fulfil as a correctional officer and found the dismissal fair. He dismissed the employee conspiracy defence.



The employee took the award on review to the Labour Court. (LA). The court held that the instruction was reasonable and related to Mr Kutus job, but Mr Kutu refused to honour the instruction. However, the LC found dismissal not appropriate and reinstated the employee and replaced the dismissal with a final written warning.

The Labour Court found the dismissal to be unreasonable as the applicant had been employed by the department for 17 years. The court was not satisfied that the applicant misconduct justified dismissal.

Correctional Services took the matter on appeal to the Labour Appeal Court (LAC)

LAC agreed with the Labour Court that, even if there was a conspiracy to dismiss Mr Kutu, which, in his own version, he was aware of, it could have been averted had he obeyed the reasonable and lawful instruction to escort the inmate to the hospital. Obedience should be imperative in the Department of Correctional Services. (comply and grieve later) It follows that the arbitrator's finding that Mr Kutu was guilty of insubordination is reasonable and the Labour Court was correct in refusing to interfere with it.

When it comes to the appropriateness of dismissal as a sanction the court referenced

Home Depot (Pty) Ltd v Herskowitz and Others which stated that:

"Failure of an employee to comply with a reasonable and lawful instruction of an employer or an employee's challenge to, or defiance of the authority of the employer may justify a dismissal, if it is wilful (deliberate) and serious"

The Labour Appeal court found that The Labour Court erred in finding that Mr Kutu was not "a problem employee". As the evidence on record shows that Mr Kutu had three existing disciplinary warnings of which he denied knowledge of

This was inconsistent with the evidence that PSA officials had a meeting with Mr Mkhwanazi to discuss a verbal warning against Mr Kutu, and another disciplinary warning was brought to their attention. It is also telling that the disciplinary warnings were never challenged. The Labour Appeal Court held that based on the entirety of the facts and circumstances of this case, the arbitrator's finding on the sanction of dismissal were reasonable and just.

The Labour Appeal Court held that the appeal by Department of correctional services must succeed, and the order of the Labour Court pertaining to the sanction falls to be set aside.

Lesson in this case

Insubordination has consequences for employees if it is deliberate and wilful.



VISION

"Ensuring workplace democratization, economic development, social justice and labour peace for the public service"

MISSION

"Embracing the future of work by advancing and protecting centralised collective bargaining, ensuring effective dispute management and good governance, empowering women, persons with disabilities and youth"

VALUES

Integrity Efficiency Accountability Good
governance Equity

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